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PATENT

Attorney Docket No. 08048.0068-00



# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re National Stage of International	)	
Application No. PCT/FR2003/002479 of:	)	
	)	
<b>Valérie DE LA POTERIE et al.</b>	)	Group Art Unit: 1615
	)	
Application No.: 10/526,674	)	Examiner: Venkat, J.
	)	
PCT Application Filed: August 6, 2003	)	
	)	
National Stage Entry: March 4, 2005	)	
	)	
§371 date: October 11, 2005	)	Confirmation No.: 3166
	)	
For: MAKE-UP COMPOSITION FOR	)	
KERATIN FIBERS SUCH AS	)	
EYELASHES	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached. Copies of the listed U.S. Patents and U.S. Patent Application Publications are not enclosed.

Each of the foreign patent documents listed in this Information Disclosure Statement was first cited in a communication from the Japanese Patent Office in a counterpart foreign application, and this Information Disclosure Statement is being filed within three months of the mailing date of that communication.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

With respect to the cited foreign language documents, Applicants submit the following remarks:

1. **JP 09-124430:** An English abstract of this document is submitted herewith.
2. **JP 2000-229813:** An English abstract of this document is submitted herewith.
3. **JP 2001-192559:** This document is believed to be related to U.S. Patent Application Publication No. 2001/0006665 to Auguste.
4. **WO 02/055031:** This document is believed to be related to U.S. Patent Application Publication No. 2004/0126401 to Collin.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law,

Applicants reserve the right to present to the Examiner the relevant facts and law regarding the appropriate status of such documents.

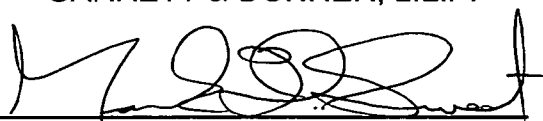
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

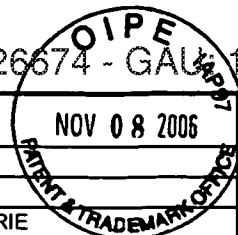
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: November 8, 2006

By: 

Mark D. Sweet  
Reg. No. 41,469



IDS Form PTO/SB/08: Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/526,674
				Filing Date	March 4, 2005
				First Named Inventor	Valérie DE LA POTERIE
				Art Unit	1615
				Examiner Name	J. Venkat
Sheet	1	of	1	Attorney Docket Number	08048.0068-00

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
/J.V./		US 2001/0006665	07-05-2001	Auguste	
		US 2004/0126401	07-01-2004	Collin	

**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.**

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
/J.V./		JP 09-124430	05-13-1997	Shiseido Co. Ltd		Abstract
		JP 2000-229813	08-22-2000	L'Oréal		Abstract
		JP 2001-192559	07-17-2001	L'Oréal		Counterpart
		WO 02/055031	07-18-2002	L'Oréal		Counterpart

Examiner Signature	/Jyothsna Venkat/	Date Considered	03/09/2010
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.